



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Age: 47		<p>DONALD LEWIS MCDANIELS, Conservatee, is Petitioner.</p> <p>ROBERT N. LOWDER, II, and MARCIA D. LOWDER are Co-Conservators of the Person.</p> <p>WELLS FARGO BANK, NA, is the current Conservator of the Estate, and its Amended 22nd Account covering through 8-31-12 was settled on 4-3-13.</p> <p>Petitioner requests the Court accept the resignation of WELLS FARGO BANK, NA (attached), and appoint BRUCE BICKEL as Successor Conservator of the Estate with bond in the amount of \$280,000.00, and securities transferred to a blocked account. Mr. Bickel consents to serve.</p> <p>Petitioner states the estate consists of cash in an amount to be determined, real property, furniture and furnishings therein, a motorhome, a burial plot, securities valued at approx. \$630,000.00 as of 8-31-12, and the right to receive monthly payments from an annuity valued at \$292,066.50 as of 8-31-12. Petitioner states bond of \$280,000.00 is appropriate as the securities will be blocked and the annuity is nontransferable and should therefore be exempt from bond. Bond will cover cash, dividends, interest, annual annuity payments, vehicles, and personal property, plus 10% cost of recovery.</p> <p>Petitioner also requests that the Successor Conservator of the Estate be authorized, like the current Conservator, to pay himself on account of his fees (\$150/hr) an amount not to exceed \$600.00/month, with any additional fees subject to Court review and approval at the time of each accounting.</p> <p>Court Investigator Jennifer Daniel filed a report on 8-1-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Court Investigator advised rights on 7-23-13.</p> <p>1. Need bond of \$280,000.00.</p> <p><u>Note:</u> Bond for the Successor Conservator will be reviewed again once the final account from Wells Fargo Bank, NA is settled.</p> <p><u>Note:</u> If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Friday 10-11-13 for filing of bond by Bruce Bickel Friday 10-11-13 for filing of a final account by Wells Fargo Bank, NA, covering from the close of the last account period 9-1-12 through current.
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

(1) First and Final Account and Report of Status of Administration; and (2) Petition for Final Distribution and (3) for Allowance of Ordinary Services by Attorneys and (4) for Allowance of Ordinary Services by Administrator and (5) for Reimbursement of Costs Advanced

DOD: 02/15/08		DOROTHY SALWASSER , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 04/10/08 – 06/27/13	1. The division of cash on hand to be distributed to each of the beneficiaries does not appear to be correct. The Examiner calculates that cash in the amount of \$165,477.75 should be distributed to Dorothy Salwasser and cash in the amount of \$110,318.51 is to be distributed to the other 3 beneficiaries. Need clarification.
Cont. from		Accounting - \$1,115,678.58	2. It appears that personal property consisting of a vessel and 2 trailers, valued at \$400.01, is separate property and therefore is distributable 1/3 to Dorothy Salwasser and 2/9 each to the other 3 beneficiaries. Petitioner proposes to distribute these assets 100% to Dorothy Salwasser. Need consent from the other 3 distributees to distribution of these assets solely to Dorothy Salwasser.
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$1,113,344.01	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$1,115,678.58 (\$546,994.29 is cash)	
<input checked="" type="checkbox"/>	Inventory	Administrator - \$24,156.74 (statutory)	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Attorney - \$24,156.74 (statutory)	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Costs - \$2,247.53 (filing fees, publication, probate referee, certified copies, recording fees)	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Distribution, pursuant to intestate succession, is to:	
<input type="checkbox"/>	Letters 05/07/08	Dorothy Salwasser - \$165,211.06 cash, a vessel and 2 trailers valued at \$400.01, 1/2 interest in a promissory note dated 01/22/85 in the amount of \$150,000.00, plus 1/3 interest in an undivided 1/3 beneficial interest of the Walter Salwasser 1995 Family Trust estate	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt	Janet E. Wise - \$110,407.38 plus 2/9 interest in an undivided 1/3 beneficial interest of the Walter Salwasser 1995 Family Trust estate	
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice	Lorie J. Salwasser - \$110,407.38 plus 2/9 interest in an undivided 1/3 beneficial interest of the Walter Salwasser 1995 Family Trust estate	
		Sheryl Denise Salwasser Miller - \$110,407.38 plus 2/9 interest in an undivided 1/3 beneficial interest of the Walter Salwasser 1995 Family Trust estate	

Reviewed by: JF

Reviewed on: 08/05/13

Updates:

Recommendation:

File 2 – Salwasser

Status Hearing Re: Accounting

Age: 58 years		BRYAN JENSEN was appointed conservator of the person and estate on 4/1/2009 with bond set at \$1,100.00.	NEEDS/PROBLEMS/COMMENTS:
		The first account was approved on 5/25/2011 for the account period ending on 12/31/2010. The property on and at the end of the first account was \$57,863.35.	Continued from 7/25/2013. Minute Order states no appearances. Mr. Shepard and Bryan Jensen are to personally appear. Bond still needed. Second account needed for conservatorship. First account needed for Special Needs Trust. The Special Needs Trust will need a new case number. Copy of the Minute order was faxed and also mailed to the attorney on 8/5/13.
Cont. from 072513			
<input type="checkbox"/>	Aff.Sub.Wit.	Minute order dated 5/25/11 ordered the bond to be increased to \$22,228.06 and set a status hearing for the next account.	1. Need second account for the conservatorship.
<input type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	On 7/6/2011 the Court approved the Petition for Substituted Judgment to establish a Special Needs Trust for the benefit of Debra J. Jensen and ordered the account of conservatorship transferred to the Special Needs Trust.	2. Need first account for the Special Needs Trust of Debra J. Jensen (this will be a new case filing for the Trust).
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		3. Need bond of \$22,228.06 to be filed for the Special Needs Trust (in the new case for the Special Needs Trust).
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		Or Need current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		Reviewed by: KT
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		Reviewed on: 8/6/2013
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		Updates:
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		Recommendation:
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		File 3 – Jensen
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
<input type="checkbox"/>			

Report of Sale and Petition for Order Confirming Sale of Real Property

		<p>TERESA GOODING, Administrator with Limited IAEA and funds held in blocked account, is Petitioner.</p> <p>Sale price: \$22,000.00 Overbid: \$23,600.00</p> <p>Reappraisal: \$20,000.00</p> <p>Property: A 33.33% undivided interest in real property located at 4162 E. Clay Ave., Fresno, CA 93702</p> <p>Publication: Fresno Business Journal</p> <p>Buyers: Andrew Thomas Sanchez, a single man, as to an undivided ½ interest as his sole and separate property, and Gloria Sanchez-Maldonado, a married woman, as to an undivided ½ interest as her sole and separate property, as tenants in common</p> <p>Note: Buyers are also the owners of the other 2/3 interests in the property</p> <p>Property interests sold subject to current taxes, restrictions, etc., any encumbrances to be satisfied from purchase price. Property sold on an "as is" basis except for title. Examination of title, recording, transfer taxes, title insurance policy at expense of purchaser.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> If granted, the Court will set status hearings:</p> <ul style="list-style-type: none"> Friday 9-23-13 at 9:00 in Dept. 303 for receipt of proceeds in blocked account. Friday 1-17-14 at 9:00 in Dept. 303 for filing of the final account/petition for final distribution. 	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
✓	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
✓	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 8-5-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – Sanchez</p>	

DOD: 3/13/2009		<u>Special Administration Expires 8/8/13.</u>	NEEDS/PROBLEMS/COMMENTS:
Cont. from 080812			
Aff.Sub.Wit.		Letters of Special Administration issued on 8/8/2011.	
Verified			
Inventory			
PTC		Petitioner was appointed as Special Administrator of the purpose of filing a complaint in Washington D.C. as part of a class action claim. Additionally, the Special Administrator was given the authority to sign all subsequent documents on behalf of the estate in order to prosecute the law suit including but not limited to discovery requests, pleadings and other necessary documents. The Special Administrator also has the authority to enter into a settlement on behalf of the estate.	
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt		Status Report and Request for Extension of Letters of Special Administration filed on 8/6/2013. Attorney Philip Flanigan states that the class action litigation is still continuing in the Superior Court District of Columbia. Mr. Flanigan respectfully requests the Court extend the Special Administration for yet another year.	
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: KT
			Reviewed on: 8/6/13
			Updates:
			Recommendation:
			File 5 - Brown

Atty Boyett, Deborah K. (for Petitioner/Conservator Raymond Lynch, Jr.)

Atty Fanucchi, Edward L. (court appointed for Conservatee)

Hearing Re: Balance of Ms. Boyett's Attorneys Fees

Age: 80		RAYMOND LYNCH, JR., Conservator, filed a Petition for Order Authorizing Payment of Fees to Attorney for Conservator and Court-Appointed Attorney for Conservatee on 4-24-13. Petitioner requested that the Court approve fees of \$6,750.50 to Attorney Boyett for 27.90 hours @ \$235-250/hr, as well as fees to Attorney Fanucchi. At hearing on 5-30-13, Judge Snauffer approved fees to Mr. Fanucchi as modified per minute order, and approved \$3,500.00 in fees to Ms. Boyett, with the balance to be determined at a later date. The Court set this status hearing for review re the balance of Ms. Boyett's fees.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> A status hearing for the filing of the first account is set for 2-7-14. <u>Note:</u> As of 8-5-13, nothing further has been filed. The Court may require further information, with reference to Cal. Rules of Court 7.751 (best interest of Conservatee) and Probate Code §2641 (just and reasonable), or may require accounting prior to authorization of further fees.	
DOB: 2-6-33				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: skc Reviewed on: 8-5-13 Updates: Recommendation: File 6 – Lynch	

(1) First and Final Account and Report of Administrator and Petition for Its Settlement, (2) for Allowance of Statutory Fees and Reimbursement of Costs and (3) for Final Distribution [Prob. C. 10831, 10951 & 11640]

DOD: 07/01/12		WILMA R. ELLIS-JOHNSON , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 10/2012 – 05/10/13	
Cont. from		Accounting - \$585,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$580,000.00	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$553,208.22 (\$273,208.22 is cash)	
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC	Administrator - waived	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Administrator reimbursement - \$877.47 (for mortgage payments paid by Administrator)	
<input checked="" type="checkbox"/>	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.	Attorney - \$9,593.78 (statutory)	
	Pers.Serv.		
	Conf. Screen		
	Letters	10/03/12	
	Duties/Supp	Costs - \$1,890.00 (for filing fees, publication, certified copies, probate referee)	
	Objections		
	Video Receipt	Closing - \$5,546.64	
	CI Report	Distribution, pursuant to intestate succession and subject to agreement between the beneficiaries, is to:	
<input checked="" type="checkbox"/>	9202	Wilma R. Ellis-Johnson - \$250,310.90 cash plus 100% interest in household furniture and furnishings	
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice	Angela Johnson-Boyce - Real property identified as APN: 415-263-11 subject to existing mortgage(s)	

Reviewed by: JF
Reviewed on: 08/06/13
Updates:
Recommendation: SUBMITTED
File 7 – Johnson

DOD: 2-14-12		<p>RICHARD DEWAYNE PHILLIPS, father and Administrator with Full IAEA without bond, is Petitioner.</p> <p>Petitioner states the decedent died in Feb 2012 from injuries sustained during a violent attack while in the custody, and under the supervision, of the Fresno County Sheriff's Dept. Petitioner, in his capacity as personal representative of the decedent's estate, filed a complaint against the County of Fresno and others in the US District Court for the Eastern District of California, alleging violations of the decedent's civil rights. The complaint was prepared and filed on Petitioner's behalf by attorney Anthony Boscovich of the Law Offices of Anthony Boscovich (San Jose, CA) in association with the law firm of Bode & Grenier LLP (Washington, D.C.). Petitioner entered into a contingency fee agreement with the law offices of Anthony Boscovich and the law firm of Bode & Grenier LLP (Exhibit A).</p> <p>The lawsuit is the only asset of the estate. Petitioner requests the Court approve the contingency agreement pursuant to Probate Code 10811(c). The agreement complies with California Business and Professions Code §6147, is just and reasonable, and is to the advantage and best interest of the decedent's heirs. The decedent is survived by his mother, his father, and one adult daughter.</p> <p>The agreement provides how costs and expenses will affect the estate's ultimate recovery: "The costs and expenses listed in this Section 5 will be reimbursed to the Firms out of any recovery obtained on your behalf. In the event that no recovery is made, you will not be obligated to reimburse the Firms for any such costs and expenses."</p> <p>Petitioner states the scope of representation and the extent to which Petitioner could become liability to pay for matters not covered by the agreement are detailed in the agreement (such as appeals or retrials).</p> <p>The agreement is reasonable and in the best interest of the estate because it is the only asset of the estate and the opportunity for the decedent's daughter to receive any distribution. Therefore, every effort should be made to ensure a successful outcome.</p> <p>Petitioner believes the contingency fee of 40% is reasonable and commonly charged by attorneys within this jurisdiction, and neither the estate nor beneficiaries are required to make any out of pocket payments. But for this fee arrangement, Petitioner and the heirs would be financially unable to pursue the claims.</p> <p>Petitioner respectfully requests this Court approve Petitioner's Contingency Fee Agreement with the law firm of Bode & Grenier, LLP and the Law offices of Anthony Boskovich.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7-25-13</p> <p>Declaration of Robert W. Pendergrass in support of Petition filed 8-1-13 states that at the 7-25-13 hearing, the Court stated it was willing to approve the agreement but was concerned that Petitioner may not have been informed of the possibility of using a "sliding scale" contingency fee whereby the amount of the fee may be reduced should the lawsuit settle prior to trial. The Court continued the hearing so that probate counsel could inform Petitioner of the practice and possibility of incorporating into the agreement. On 7-31-13, Attorney Pendergrass spoke with Petitioner as directed. Petitioner stated he understood the concept and acknowledged that his agreement does not include a "sliding scale;" however, he preferred not to alter the agreement and would like to proceed at the flat rate of 40%. Petitioner told Mr. Pendergrass that he was pleased with the service provided thus far by the Law Offices of Anthony Boskovich and Boade & Grenier, LLP. On Petitioner's behalf, Mr. Pendergrass requests the Court grant the motion for approval of the contingency fee agreement.</p> <p>Note: Status hearing for filing the Inventory and Appraisal in this estate matter was continued to 10-25-13 with reference to the litigation.</p> <p>1. Need order.</p>
Cont. from 072513			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 06/22/2011	KAREN DENISE FLAGLER , daughter is petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS:
	All heirs waive bond	
Cont. from	All heirs nominate petitioner	
<input type="checkbox"/> Aff.Sub.Wit.	Full IAEA – o.k.	
<input checked="" type="checkbox"/> Verified	Decedent died intestate	
<input type="checkbox"/> Inventory	Residence: Fresno Publication: The Business Journal	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	<u>Estimated value of the Estate:</u>	
<input type="checkbox"/> Pers.Serv.	Personal property - \$294,500.00	
<input type="checkbox"/> Conf. Screen	Probate Referee: Rick Smith	
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Note: The Court will set status hearings as follows. If the appropriate items are filed, the status hearings may be taken off calendar.
		• Friday, 01/03/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u>
		• Friday, 08/29/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.
		Reviewed by: LV
		Reviewed on: 08/06/2013
		Updates:
		Recommendation: Submitted
		File 10 – Bandoni

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 06/30/2012			TOBY KUNISHIGE HARRISON , daughter, and GERALD L. TAHAJIAN , attorney, named executors without bond are petitioners.	NEEDS/PROBLEMS/COMMENTS: <ol style="list-style-type: none"> Need name and date of death of decedent's spouse pursuant to Local Rule 7.1.1D. Need original will to be deposited with the Court pursuant to Probate Code §8200(a)(1). Will is not self-proving. Need proof of Subscribing Witness. The signature of the petitioner, Toby Kuniishige Harrison, appears to be a copy on the petition. Petitioner, Gerald L. Tahajian, did not sign the petition. Need Confidential Supplement to Duties & Liabilities of Personal Representative for petitioner, Gerald L. Tahajian. Need Letters. Need Order. <p>Note: The Court will set status hearings as follows. If the appropriate items are filed, the status hearings may be taken off calendar.</p> <ul style="list-style-type: none"> Friday, 01/03/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> Friday, 08/29/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. 	
Cont. from					
	Aff.Sub.Wit.	x			Full IAEA – o.k. Will dated: 06/01/2010 Residence: Fresno Publication: The Business Journal <u>Estimated value of the Estate:</u> Real property \$80,000.00 Probate Referee: Rick Smith
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/			
✓	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
	Letters	x			
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
	Order	x			
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				

Reviewed by: LV
Reviewed on: 08/06/2013
Updates:
Recommendation:
File 11 – Kunishige

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob.
C. 8002, 10450)

DOD: 06/09/2013	JANINE WALSH , surviving spouse is petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS: Note: The Court will set status hearings as follows. If the appropriate items are filed, the status hearings may be taken off calendar. • Friday, 01/10/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 10/10/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.
	All heirs waive bond	
	Full IAEA – o.k.	
Cont. from	Decedent died intestate	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Residence: Fresno Publication: The Business Journal	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	Probate Referee: Rick Smith	
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 08/06/2013
		Updates:
		Recommendation: Submitted
		File 12 – Walsh

Age: 8 years DOB: 11/14/04		BRIDGETTE I. FRANCO , Trustee, was appointed Trustee on 4/15/2008 pursuant to Order of the Court.	NEEDS/PROBLEMS/COMMENTS: Note: A status hearings will be set as follows: <ul style="list-style-type: none"> Friday, August 7, 2015 at 9:00 a.m. in Department 303, for the filing of a brief status report to report to update the court on the status of the real property, i.e. taxes, insurance, maintenance, etc.
		Trustee's second account covering the period from 4/16/09 through 4/15/11 was settled on 8/4/11, and since that date, the trust property on hand consists of a residence valued at \$346,886.00.	
Cont. from		There are no other assets. The trust did not have any income for the prior account period and will not have any income in the future. Good cause exists for dispensing with the presentation of future accounts for this special needs trust.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Pursuant to Order dated 12/6/2011 the Court dispensed with future accountings. However the Court further ordered status hearings be set at one or two year intervals and required a brief status report to be filed.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Status Report of Trustee Bridgette Franco filed on 7/23/13 states she has maintained the residence and all property taxes are paid to date.	
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
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<input type="checkbox"/>	FTB Notice		
		Reviewed by: KT	
		Reviewed on: 8/6/2013	
		Updates:	
		Recommendation:	
		File 13 – Franco	

Petition for Transfer

Age: 32 years DOB: 1/1/1981		DANIEL BERNAL and IRMA BERNAL , parents, were appointed co- conservators on 4/15/1999.	NEEDS/PROBLEMS/COMMENTS:
		Court Investigator Julie Negrete filed a Petition for Transfer on 7/2/2013 requesting this proceeding be transferred to Tulare County because the conservatee has been residing there for over three years, and it is presumed pursuant to Probate Code §2215 that transfer of the conservatorship case to the county of residence is in the best interests of the conservatee.	Note: If the petition is granted a status hearing will be set on: October 4, 2013, at 9:00 a.m., in Dept. 303 for confirmation of receipt of transfer.
Cont. from		Court Investigator further recommends that the fees and costs related to this transfer be waived.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
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	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 8/6/13
			Updates:
			Recommendation:
			File 14 – Bernal

Petition for Order Directing Transfer of Property to Petitioner [Prob. C. 850(a)(2)(D)]

		MARGOT BELLANDO , Successor Trustee for Sunnyside Medical, a California fictitiously named business association registered and doing business in the City of Fresno, County of Fresno, State of California, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>SEE PAGE 2</u>
		Sunnyside Medical is an interested person within the contemplated provisions of Probate Code §48 in certain personal property that the decedent held title to and possession of at her death.	
		Petitioner states John Chaing, Controller, State of California, currently holds funds in the sum of \$98,957.43, represented by three time-expired negotiable instruments, each payable to the decedent, drawn on Citibank, dated 11-18-03 and 4-6-04 (serial numbers provided), the source of which funds is Sunnyside Medical, and, because they have not been negotiated, were delivered to respondent with the funds represented thereby by said bank as unclaimed funds under the laws of the State of California. Sunnyside Medical is the owner of the beneficial interest in those funds that were withdrawn and held by the decedent as trustee for Sunnyside Medical at the time of withdrawal. The decedent died without discharging her duty as trustee to surrender said instruments and/or funds represented thereby to petitioner as successor trustee upon the demand of petitioner.	
		Petitioner claims the right to legal title and possession of property as a successor trustee of Sunnyside Medical the equitable title owner in this property held by decedent as trustee during her lifetime and now held on her behalf by respondent John Chaing.	
		Decedent died while in possession of the property only as predecessor trustee to Petitioner. Before her death, the decedent had ordered the cashier's check drawn on funds, then and there beneficially owned by Sunnyside Medical with the duty to transfer said funds and/or instrument representing said funds to Petitioner immediately upon Petitioner's succession of the decedent as trustee for Sunnyside Medical.	
		Petitioner prays for an order:	
		1. Directing John Chiang, Controller, State of California to transfer the funds represented by the cashier's checks to Petitioner, as the successor trustee of Sunnyside Medical, the beneficiary of the trust in which those funds were lawfully held by Jeannie Girazian and to execute any documents necessary in order to fully complete the transfer;	
		2. Directing John Chiang, Controller, State of California to immediately deliver possession of this property to Petitioner; and	
		3. For such other orders as the court deems proper.	
			Reviewed by: skc
			Reviewed on: 8-6-13
			Updates:
			Recommendation:
			File 15 – Girazian

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner appears to state in the body of the petition that she succeeded the decedent as trustee of the business and that the decedent died in possession of business property; however, the language of the prayer indicates that the business is a beneficiary of a separate trust, which is not described in the petition.

Need clarification, as this petition is filed under Probate Code §850(a)(2))D), which does not appear to be an appropriate reference for either situation: "(D) Where the decedent died having a claim to real or personal property, title to or possession of which is held by another."

2. The Court may require clarification as to the organization/relationship of the business, the trust, and office of "trustee" as described.
3. The Court may require verification that all entitled to notice have been served, including those within the business organization.
4. Need order.

Petition for Appointment of Temporary Conservatorship of the Person and Estate

Age: 90	<u>TEMPORARY GRANTED EX PARTE:</u> <u>EXPIRES 08/08/13</u>		NEEDS/PROBLEMS/COMMENTS: See Page 17 for related Petition Court Investigator advised rights on 07/30/13. Note: The Ex Parte was granted with Petitioners as Co-Conservators of the Person and Bruce Bickel as Conservator of the Estate. Bond was posted on 07/31/13 and temporary Letters have issued. Note: The Temporary was granted Ex Parte; therefore if the temporary is extended additional Letter of Conservatorship will need to be submitted.										
	<u>GENERAL HEARING: 09/03/13</u>												
Cont. from	<p>DIANE HUERTA and LINDA PLITT, daughters, are Petitioners and request appointment as temporary Co-Conservators of the Person and as temporary Co-Conservators of the Estate or, in the alternative, that Bruce Bickel be appointed as Conservator of the Estate, with bond set at \$1,850,000.00.</p> <p>Estimated Value of the Estate: Personal property - \$1,700,000.00 Annual income - 23,328.00 Bond recover amt. - 124,467.00 Total - \$1,847,795.00</p> <p>Petitioners allege that their parents had put together estate planning documents intended to provide for them during their elderly years. Recently, Michael Loeffler, son, has unduly influenced their parents to change their durable power of attorney, trustee of their trust, and advanced health care directive changed so that he is now acting on behalf of his parents under these instruments. Petitioners allege that Michael has an "atomic temper" and he uses yelling and intimidation to get his way. Petitioners believe that their parents are now afraid to express their own opinions and defer to Michael. Petitioners indicate that Michael lives in their parents home rent-free and is paid a monthly amount by their parents. The conservatee now resides in a skilled nursing facility and the staff at the facility have reported that Michael has been combative and made multiple complaints regarding the care provided to the conservatee. The conservatee and other family members have no concerns over the care received.</p> <p>Court Investigator Charlotte Bien filed a report on 08/01/13.</p>												
<input type="checkbox"/> Aff.Sub.Wit.			<table border="1"> <tr><td>Reviewed by:</td><td>JF</td></tr> <tr><td>Reviewed on:</td><td>08/06/13</td></tr> <tr><td>Updates:</td><td></td></tr> <tr><td>Recommendation:</td><td></td></tr> <tr><td>File 16 – Loeffler</td><td></td></tr> </table>	Reviewed by:	JF	Reviewed on:	08/06/13	Updates:		Recommendation:		File 16 – Loeffler	
Reviewed by:	JF												
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<input type="checkbox"/> Status Rpt													
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<input type="checkbox"/> FTB Notice													

Petition for Appointment of Temporary Conservatorship of the Person and Estate

Age: 84		<u>TEMPORARY GRANTED EX PARTE:</u> <u>EXPIRES 08/08/13</u>		NEEDS/PROBLEMS/ COMMENTS: Court Investigator advised rights on 07/30/13. Note: The Ex Parte was granted with Petitioners as Co-Conservators of the Person and Bruce Bickel as Conservator of the Estate. Bond was posted on 07/31/13 and temporary Letters have issued. Note: The Temporary was granted Ex Parte; therefore if the temporary is extended additional Letter of Conservatorship will need to be submitted.
		<u>GENERAL HEARING: 09/03/13</u>		
		DIANE HUERTA and LINDA PLITT , daughters, are Petitioners and request appointment as temporary Co-Conservators of the Person and as temporary Co-Conservators of the Estate or, in the alternative, that Bruce Bickel be appointed as Conservator of the Estate, with bond set at \$1,850,000.00.		
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	Inventory			
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	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	w/		
✓	Conf. Screen			
	Letters	x		
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
	Order	x		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Estimated Value of the Estate: Personal property - \$1,700,000.00 Annual income - 23,328.00 Bond recover amt. - 124,467.00 Total - \$1,847,795.00		
		Petitioners allege that their parents had put together estate planning documents intended to provide for them during their elderly years. Recently, Michael Loeffler, son, has unduly influenced their parents to change their durable power of attorney, trustee of their trust, and advanced health care directive changed so that he is now acting on behalf of his parents under these instruments. Petitioners allege that Michael has an "atomic temper" and he uses yelling and intimidation to get his way. Petitioners believe that their parents are now afraid to express their own opinions and defer to Michael. Petitioners indicate that Michael lives in their parents home rent-free and is paid a monthly amount by their parents. The conservatee now resides in an independent living apartment at the same facility where her husband, Fred Loeffler, resides.		
		Court Investigator Charlotte Bien filed a report on 08/01/13.		
		Reviewed by: JF Reviewed on: 08/06/13 Updates: Recommendation: File 17 – Loeffler		